

MAY 11 2006

OFFICE OF PETITIONS

P27154.A06.DOC

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of:

Michael P. Belyansky, *et al.*

Docket No. P27154

Confirmation No. 2429

Group Art Unit: 2818

Examiner: A. Huynh

Appln. No. : 10/708,430

Filed : March 3, 2004

For : MOBILITY ENHANCED CMOS DEVICES

Certificate of Transmission under 37 CFR 1.8I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office, Fax No. 571-273-0025 on 5/11/06.
SignatureAndrew M. Calderon, Reg. No. 38,093

Typed or printed name of person signing Certificate

**PETITION UNDER 37 C.F.R. 1.313(c)(2)
REQUESTING WITHDRAWAL OF THE APPLICATION FROM ISSUE**Commissioner for Patents
U.S. Patent and Trademark Office
Customer Window, Mail Stop _____
Randolph Building
401 Dulany Street
Alexandria, VA 22314
Sir:

This is a Request for Withdrawal from Issue of the above-identified application.

The issue fee was paid on March 30, 2006. Applicant's representative recently discovered references which are cited in an IDS filed concurrently herewith. This

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discovery occurred subsequent to payment of the issue fee. In order to have the references considered, a Request for Continued Examination (RCE) under 37 C.F.R. 1.114 is being filed concurrently herewith, as is an IDS making the references cited therein of record.

A Supplemental Information Disclosure Statement for the Examiner's consideration is being submitted on even date herewith in the mailroom. A signed copy of the Supplemental Information Disclosure Statement is submitted herewith. A signed copy of the RCE is also attached hereto, as a courtesy.

In accordance with 37 C.F.R. 1.114(a)(1), grant of this petition under 37 C.F.R. 1.313 (c)(2) is respectfully requested.

Please charge the \$130 petition fee required under 37 C.F.R. 1.17(h) to **IBM Deposit Account No. 09-0458** (Fishkill). The Commissioner is hereby authorized to charge any additional fees and refund excess fees concerning the application to **IBM Deposit Account No. 09-0458**.

Respectfully submitted,
Michael P. Belyansky, *et. al*



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Intellectual Property Causes
1950 Roland Clarke Place
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5/11/2006

File In: NY FAX

The Patent Office Date stamp hereon is an acknowledgement that, on the date indicated, the Patent Office received the following:

NY PETITION UNDER 37 C.F.R. 1.313(C)(2) REQUESTING WITHDRAWAL
OF THE APPLICATION FROM ISSUE

- () Amendment
() Executed Assignment and cover letter
() Executed S.E.S. () S.E.S. Assertion
() Req. for Ext. of Time
() Fee Filing ()
 Recording ()
 Issue ()
 Extension ()
 Publication ()
() Fee Transmittal
() Maintenance Fee Payment
() PTOL-85B Issue Fee & Publication Fee
 (with copy)
() Cover Letter Regarding Drawings
() Design Patent Application Transmittal
() Utility Patent Application Transmittal
() Provisional Application Cover Sheet
(X) Request for Continued Examination
 (RCE) including Submission
() Cover Letter
() Check No. for \$
() Credit Card Payment
 (Form PTO-2038) for \$
() Rule 53b and 53f Letter for
 Unexecuted Application
() Application Data Sheet

- () Claim of Priority & Certified
 Copy of _____
() Declaration () Executed
 () Unexecuted
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() Transmittal Letter
() Patent Application
 () Provisional () Reexam
 () Reissue () Design
 () Continuation () CIP
 () Divisional

_____ pages (w/abstract)
_____ claims _____ independent
_____ sheets of drawings
_____ figures

- (X) I.D.S. form PTO-1449 &
 Documents () as attached
 () as listed on
 reverse
() One self-addressed postcard
() Certification under 1.97(e)
() Certificate of Mailing (C-O-M)
() Returned Envelope

(X) 7pgs total

In the matter of : MOBILITY ENHANCED CMOS DEVICES

Applicant : Michael P. BELYANSKY

Application No. 10/708,430

Patent No.

Filed : 3/03/2004

Issued :

Docket : P27154

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